

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 04-CR-250

ADAM E. DAVIS,

Defendant.

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**ORDER TO STRIKE**

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On October 19, 2004, a grand jury returned a two-count indictment against Adam E. Davis charging him with making false statements to special agents of the Federal Bureau of Investigation regarding a high-yield investment fraud scheme. Both counts charged a violation of 18 U.S.C. § 1001. On February 2, 2005, a jury found Davis guilty of both counts and the court scheduled the matter for sentencing on June 15, 2005. Davis failed to appear at his sentencing and has been a fugitive ever since. On May 13, 2008, Carol Davis, Adam's wife, filed a "Motion to Challenge Territorial Jurisdiction of this Court and to Require the Court to Verify and Prove Jurisdiction in this Matter or to Overturn Jury's Verdict with Fine" (Docket No. 102). In her motion, Ms. Davis contends that the court lacked jurisdiction over her husband and demands that the court produce documentation establishing that the United States had jurisdiction over the states in which the offense was committed and over her husband, whom she describes as a sovereign. In the event such documentation is not produced, she demands payment, apparently from the court, of \$25,000.00.

In response to Ms. Davis' motion, the Government has moved to strike and/or deny the motion on the ground that Carol Davis is not an attorney and may not represent her husband. In

addition, the Government notes that Adam Davis, as a fugitive, has waived his right to call upon the resources of the court for determination of his claims. *See Molinaro v. New Jersey*, 396 U.S. 365, 366 (1970).

The Government's motion to strike will be granted. Ms. Davis, as a non-lawyer, is not able to represent her husband and has no standing to seek any relief on his behalf in court. In addition, Adam Davis, as a fugitive, is not entitled to a determination of his claim. Should Davis wish to challenge the jurisdiction of the court, he must present himself in person. Accordingly, the motion of Carol Davis on behalf of her husband is denied and the motion to strike filed by the Government is hereby granted.

**SO ORDERED** this 15th day of July, 2008.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge